

**U.S. DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE  
KALAUPAPA NATIONAL HISTORICAL PARK ADVISORY COMMISSION**

**Charter**

1. **COMMITTEE'S OFFICIAL DESIGNATION.** The official designation of the Commission is the Kalaupapa National Historical Park Advisory Commission (Commission).
2. **AUTHORITY.** The Kalaupapa National Historical Park Advisory Commission was established by Section 108 of Public Law 96-565, December 22, 1980, as amended by Section 128 of Public Law 109-54, August 2, 2005, and in accordance with the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C. App. 2.
3. **OBJECTIVES AND SCOPE OF ACTIVITIES.** The Secretary of the Interior is to consult with and seek the advice of the Commission with respect to the development and operation of the Park including training programs. The Commission shall, in addition, advise the Secretary concerning public visitation to the Park, and such advice with respect to numbers of visitors shall be binding upon the Secretary if the Commission certifies to him that such advice is based on a referendum, held under the auspices of the Commission, of all patients on the official Kalaupapa Registry.
4. **DESCRIPTION OF DUTIES.** The duties of the Commission are solely advisory. It does not have regulatory or land acquisition authority.
5. **AGENCY OR OFFICIAL TO WHOM THE COMMITTEE REPORTS.** The Committee will report to the Secretary through the Designated Federal Officer (DFO) or alternate DFO.
6. **SUPPORT.** Support of the Commission is provided by the National Park Service.
7. **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS.** The estimated annual operating cost of the Commission is \$10,000, which includes the cost of .25 staff-year of support.
8. **DESIGNATED FEDERAL OFFICER.** The Designated Federal Officer is the Pacific Area Director. The DFO or the DFO's designee will be full-time or permanent part-time Federal employees, and will approve or call all of the Commission's and subcommittee's meetings, prepare and approve all meeting agendas, attend all Commission and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the Commission ultimately reports.

9. **ESTIMATED NUMBER AND FREQUENCY OF MEETINGS.** The Commission will meet approximately two times a year.
10. **DURATION.** The Commission shall terminate on December 22, 2025, 45 years after the enactment of P.L. 96-565, as amended by P.L. 109-54.
11. **TERMINATION.** The Committee may take no action unless the charter filing requirement of Sections 9 and 14(b) of the Act have been complied with. The provisions of Section 14(b) of the FACA requiring a biennial rechartering are inapplicable to this Commission. However, there shall be a biennial review of this Commission to determine if its purposes are being fulfilled.
12. **MEMBERSHIP AND DESIGNATION.** The Commission shall consist of 11 members, each appointed by the Secretary of the Interior as follows:
  - a. Seven members who shall be present or former patients elected by the patient community; and four members appointed from recommendations submitted by the Governor of Hawaii, at least one of who shall be a Native Hawaiian.
  - b. Terms of appointment shall be for 5 years. Any vacancy on the Commission shall be filled in the same manner in which the original appointment was made. If no successor is appointed on or prior to the expiration of a member's term, then the incumbent member may continue to serve until the new appointment is made. All members serve at the pleasure of the Secretary.
  - c. Members of the Commission will receive no pay, allowances, or benefits by reason of their service on the Commission. However, while away from their homes or regular places of business in the performance of services for the Commission as approved by the DFO, members will be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed such expenses under Section 5703 of Title 5 of the United States Code.
13. **ETHICS RESPONSIBILITIES OF MEMBERS.** No committee or subcommittee member shall participate in any specific party matter including a lease, license, permit, contract, claim, agreement, or related litigation with the Department in which the member has a direct financial interest.
14. **SUBCOMMITTEES.** For assistance in conducting its business, the DFO may establish subcommittees or workgroups for compiling information and conducting research. However, such subcommittees or workgroups shall not conduct business independent of the Commission and must report their recommendations to the Commission for consideration. The Commission's Chair, with the approval of the DFO, will appoint subcommittee or workgroup members. Subcommittees or workgroups will meet as necessary to accomplish assignments, subject to the approval of the DFO and the availability of resources.

15. **RECORDKEEPING.** The records of the Commission, formally and informally established subcommittees, or other subgroups of the Commission, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, U.S.C. 552.



Secretary of the Interior

APR 05 2010

Date Signed

APR - 5 2010

Date Filed